

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. John Michael Vazquez
	:	
v.	:	Crim. No. 20-578 (JMV)
	:	
JEFFREY ANDREWS,	:	
CHAD BEENE,	:	
ADAM BROSIUS, and	:	
ROBERT SCHNEIDERMAN	:	

**DEFENDANT CHAD BEENE’S OPPOSED MOTION TO PRODUCE
ARRANGEMENTS MADE OR EXTENDED TO GOVERNMENT WITNESSES**

TO THE HONORABLE JUDGE OF SAID COURT:

Chad Beene, by and through his undersigned counsel, respectfully files his Motion to Produce Arrangements Made or Extended to Government Witnesses, and for good cause would show the following:

SUMMARY OF MOTION

Mr. Beene requests that the Court order the Government to produce a written memorandum of all arrangements made or extended to Government witnesses at least 14 days prior to trial so that Mr. Beene will have sufficient time to adequately prepare for cross-examination of the witnesses at trial.

ARGUMENT & AUTHORITIES

1. A Defendant is constitutionally-entitled to be informed of and to display to a jury at trial any promises of immunity, leniency, special considerations, threats of prosecution, promises of assistance or any benefits extended to any Government witness in order to secure the witness’s testimony. Withholding such evidence constitutes a denial of the defendant’s constitutionally protected rights to due process and fundamental fairness. *Giglio v. United States*, 405 U.S. 150, 92 S.Ct.763, 31 L.Ed.2d 104 (1972); *Brady v. Maryland*, 373 U.S. 83

(1963). Such evidence is not only exculpatory in the sense that it is a legitimate ground for impeachment of any witness that the Government may call against Mr. Beene, *United States v. Chandler*, 326 F.3d 210, 218-221 (3rd Cir. 2003), but is also discoverable to show the witness's bias or prejudice in testifying at trial. *Davis v. Alaska*, 415 U.S. 308 (1974).

2. Accordingly, Mr. Beene moves the Court to enter an order directing the Government to prepare and to provide to Mr. Beene and his attorney a written memorandum setting out in detail the extent and scope of all offers of immunity, promises of leniency or special considerations, threats of prosecution, promises of assistance, benefits, payments in cash or in kind that have been or will be extended to any person who may be called as a witness by the Government or who has provided any information to the Government or cooperated with the Government in any way in regard to this case.

3. Mr. Beene requests that the foregoing be produced at least 14 days prior to trial so that it may be useful in mounting a defense.

WHEREFORE, PREMISES CONSIDERED, the Defendant respectfully prays that this motion be in all things GRANTED.

Dated: December 15, 2021.

Respectfully submitted,

GREGOR | WYNNE | ARNEY, PLLC

By: /s/ Michael J. Wynne*

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** Admitted pro hac vice*

COUNSEL FOR CHAD BEENE

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this document was served upon counsel of record on this 15th day of December 2021.

By: /s/ Michael J. Wynne*

Michael J. Wynne

CERTIFICATE OF CONFERENCE

I certify that I have communicated with lead counsel for the United States and that the United States is opposed to this motion.

By: /s/ Michael J. Wynne*

Michael J. Wynne